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PTO/SB/21 (6-99)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<p style="text-align: center;">TRANSMITTAL FORM</p> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	10/015,499	
	Filing Date	December 11, 2001	
	First Named Inventor	Kevin P. Baker	
	Group/Art Unit	1647	
	Examiner Name	Hayes, Robert Clinton	
Total Number of Pages in This Submission	6	Attorney Docket Number	39780-2830 P1C42

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> SUPPLEMENTAL PRELIMINARY AMENDMENT <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): <input checked="" type="checkbox"/> STAMPED RETURN POSTCARD
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRLMAN LLP 275 Middlefield Road, Menlo Park, California 94025	ANNA L. BARRY (Reg. No. 51,436) Telephone: (650) 324-7000	Facsimile: (650) 324-0638
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 03 2006

In re application of:

Kevin P. BAKER, et al.

Application Serial No. 10/015,499

Filed: December 11, 2001

For: **PRO1788 POLYPEPTIDES**

) Examiner: Hayes, Robert Clinton
)
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) Art Unit: 1647
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) Confirmation No. 6886
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) Attorney's Docket No. 39780-2830 P1C42
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) Customer No. 35489

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SUPPLEMENTAL PRELIMINARY AMENDMENT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

On May 10, 2005, the Examiner made a final rejection to pending Claims 28-35 and 38-40. A Notice of Appeal was filed on October 11, 2005, and an Appeal Brief was filed on January 11, 2006. A Notification of Non-Compliant Appeal Brief was mailed April 11, 2006. In response to the Notification of Non-Compliant Appeal Brief mailed April 11, 2006 a Request for Continued Examination and a Preliminary Amendment were filed on August 11, 2006.

Applicants submit herewith a Supplemental Preliminary Amendment to the Preliminary Amendment filed on August 11, 2006 for the above identified application.

Remarks/Arguments begin on page 2 of this paper.